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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC EDWARD PLATA,

Defendant,

VOYA FINANCIAL, INC.,

Garnishee.

CASE NO. CR-03-0151 VRW

WRIT OF CONTINUING GARNISHMENT
(RETIREMENT ACCOUNT)

TO: Voya Financial, Inc.
Attn: DaVita IRA
1 Orange Way
Windsor, CT 06095

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WRIT OF CONTINUING GARNISHMENT
Case No: CR-03-0151 VRW

1 **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**
2 **UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE**
3 **DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

4 The name, last known address and last four digits of the social security number of the person
5 who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this
6 Writ are as follows:

7 Eric Edward Plata
8 954 Pentwood Rd., Apt. B
9 Bel Air, MD 21014
10 Social Security Number (last four digits): XXX-XX-8462

11 This Writ has been issued at the request of the United States of America to enforce the collection
12 of a criminal judgment entered in favor of the United States against the defendant for a debt in the
13 original amount of \$120,200.00. As of March 8, 2024, there is a balance due of approximately
14 \$108,997.44, plus interest. Interest accrues at the rate of 1.29%.

15 The following are the steps that you must take to comply with this Writ. If you have any
16 questions, you should consult with your attorney.

17 1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession
18 any property of the defendant in which the defendant has a substantial nonexempt interest, or if you
19 obtain custody, control, or possession of such property while this Writ is in effect, you must
20 immediately withhold such property from the defendant and retain it in your possession until you
receive instructions from the Court which will tell you what to do with the property.

21 2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within 10
22 days after service of this Writ upon you. You must answer the Writ even if you do not have in your
23 custody, control, or possession, any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your
24 answer must state, under oath, the following information:

25 a. Whether or not you have in your custody, control, or possession, any property
26 owned by the defendant in which the defendant has a substantial nonexempt interest, including
27 nonexempt disposable earnings;

- b. a description of such property and the value of such property;
- c. a description of any previous garnishments to which such property is subject and the extent to which any remaining property is not exempt; and
- d. the amount of the debt you anticipate owing to the defendant in the future and whether the period for payment will be weekly or another specified period.

For your convenience, a form which addresses the above-requested information is attached and may be used to answer the Writ.

3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and (c)(4), **within ten (10) days** after service of this Writ upon you, you must mail or deliver the original answer bearing the original signature of the person preparing the answer to the Court at the following address:

Clerk, United States District Court
450 Golden Gate Avenue, Box 36060
San Francisco, CA 94102

At the same time you mail or deliver the original answer to the Court, you must also mail or deliver a copy of the original answer to both the defendant and attorney for the United States at the following respective addresses:

Eric Edward Plata
954 Pentwood Rd., Apt. B
Bel Air, MD 21014

Shining J. Hsu, Assistant U.S. Attorney
450 Golden Gate Avenue, 9th Floor
P.O. Box 36055
San Francisco, CA 94102

Please note that the attached form answer contains a certificate of service which needs to be completed by the person mailing the copies of the answer to the defendant and the attorney for the United States, and which needs to be filed with the Court along with the answer.

**IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN
ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT
FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE**

1 **WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE**
2 **THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO**
3 **SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT**
4 **WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S**
5 **NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE**
6 **EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO**
7 **THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN**
8 **THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION**
9 **REQUIRING YOU TO APPEAR.**

10
11 MARK B. BUSBY,
12 Clerk of Court
13 United States District Court
14 for the Northern District of California

15 Dated: 03/15/2024

16 By: 
17 W. Noble
18 Deputy Clerk

